

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:09-cv-334-W**

DARRELL BROOKS,

Plaintiff,

vs.

LLOYD LAYMAN SHOPE, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court *sua sponte* following the filing Plaintiff's Motion for Reconsideration (Doc. No. 55) after the Court dismissed Plaintiff's complaint without prejudice for lack of subject matter jurisdiction (Doc. No. 53).

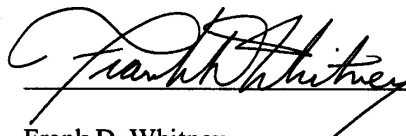
The Court directs the parties to provide a supplemental briefing no more than 3,000 words by **Friday, July 30, 2010**, on what impact, if any, Plaintiff's submissions attached to his Motion for Reconsideration would have upon the Court's jurisdiction over this matter. The Court does not require a response once these supplemental briefings are submitted.

The parties should particularly address Plaintiff's submission of his South Carolina voter registration record and discuss whether an evidentiary hearing is needed to make a factual finding about Plaintiff's domicile. If an evidentiary hearing is needed, the Court will make arrangements to have Plaintiff transported to the Mecklenburg County Jail to await a hearing before the Court. The Court recognizes that Enterprise Leasing Company– Southeast, LLC has made only a special and limited appearance in this case, and may file such a supplemental briefing accordingly.

The Clerk is directed to send a copy of this Notice to Plaintiff, Mr. Darrell Brooks, Register #16183171, c/o Federal Correctional Institution, P.O. Box 1000, Butner, North Carolina, 27509, which is his address of record, and to the Fourth Circuit case manager.

IT IS SO ORDERED.

Signed: July 16, 2010



Frank D. Whitney
United States District Judge

